

## COPY OF PAPERS ORIGINALLY FILED



UTILITY PATENT

A SOLVER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: McKNIGHT et al

Group Art Unit: 2811

Serial No.:

09/872,145

Examiner: UNKNOWN

Attorney Docket No.: 00639055

Filed: 06/01/2001

For: CHANNEL TO CONTROL SEAL WIDTH IN OPTICAL DEVICES

JUL 22 2002

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

**Assistant Commissioner for Patents** 

Washington, D.C. 2023

on 7-12-02

Signature: 🗶

Barbara J. Couch

## INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Commissioner:

In accordance with 37 C.F.R. 1.56 and in a manner prescribed by 37 C.F.R. 1.97 and 1.98, this Information Disclosure Statement IDS is being submitted herewith for consideration by the United States Patent and Trademark Office.

## I. <u>CONTENT</u>

This IDS includes:

A list of all patents, publications, applications, or other information submitted for consideration by the Office on PTO form 1449, which is included herewith;

		A legible copy of: (i) each U.S. patent and foreign patent; (ii) each publication of be listed; and (iii) each cited pending specification including claims, and any d portion of the application which caused it directed to that portion; and (iv) all other caused it to be listed, unless subsequently	or that portion which caused it to U.S. application, the application rawing of the application, or that to be listed including any claims information or that portion which
II.	CON	CISE EXPLANATION OF THE RELEVA	NCE (check at least one box)
		Except as may be subsequently indicat explanation is not required as all of the p or other information are in the English lar	atents, publications, applications
		A concise explanation of the relevance, as individual designated in 1.56(a) most knot the information, of all patents, publinformation listed that is not in the English	owledgeable about the content of ications, applications or other
		A copy of the translation of a non-English thereof. (e.g., a translation of an abstract)	n Language document, or portion
		Any patent, publication, pending U.S. app is listed on PTO form 1449, which a previously cited by or submitted to the applications that has been relied on for under 35 U.S.C 120 and the IDS submodules with paragraphs (a) through (c) of	office in one of the following an earlier effective filing date nitted in the earlier application
		U.S. Application Serial No.	U.S. Filing Date
III.	THIS	IDS IS BEING FILED UNDER 37 C.F.R.	1.97(b): (check one box)
		Within three months of the filing date of a continued prosecution application under	
		Within three months of the date of entry in 1.491 in an international application.	of the national stage as set forth
	$\boxtimes$	Before the mailing date of a first Office A that a first Office Action on the merits h this IDS under 37 C.F.R. 1.97(c) and see	as been mailed, please consider

		charge deposit accountthe fee specified by 37 C.F.R. 1.17(p) if such statement is not selected in Section VI.  Before the mailing of a first Office Action after the filing of a request for continued examination under 1.114.
IV.	THIS	S IDS IS BEING FILED UNDER 37 C.F.R. 1.97(c):
		After the period specified in 27 C.F.R. 1.97(b) and before the mailing date of any of a final action under 1.113, a notice of allowance under 1.311 or an action that otherwise closes prosecution in the application, and accompanied by:
		a statement specified in 1.97(e) as subsequently provided in this IDS; or
		the fee set forth in 1.17(p).
V.	THIS	SIDS IS BEING FILED UNDER 37 C.F.R. 1.97(d):
		After the period specified in 27 C.F.R. 1.97(c) and on or before the payment of the issue fee, and it is accompanied by a statement specified in 1.97(e) as subsequently provided in this IDS <u>and</u> the fee set forth in 1.17(p).
VI.		ment under 37 C.F.R. 1.97(e) (check only one box) undersigned hereby states that:
		Each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
		No item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this IDS.
VII.	PAYN	MENT OF FEES (check one box)
		A check in the amount of \$ is enclosed for fees due with respect to this IDS.

	Please charge  \$  of this paper is	for the fees d	ue with respec	 	the amound duplicate	
CONC	CLUSION					

It is respectfully submitted that the claims presently on file patently distinguish the present invention from each of these references cited in this IDS. The references cited in this IDS are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art. Furthermore the filing of this IDS should not be construed to be an admission that the information cited in this IDS is, or is considered to be, material to patentability as defined in 1.56(b). In addition, the filing of this IDS should not be construed as a representation that a search has been made.

If the Examiner has any questions concerning these IDS, the Examiner is requested to contact the undersigned at the telephone number associated with Customer No. 29906. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. 50-1091.

Please charge any additional fees or credit any overpayment related to this IDS to Deposit Account No. 50-2091.

Date: 7/12/02

Respectfully submitted.

By: Vincent B. Ingrassi

Reg. No. 25,752

Ingrassia Fisher & Lorenz, P.C.

Customer No. 29906

**Enclosures:** 

VIII.

PTO-1449

References

Foreign Search Report

7 Fe

se type a plus sign (+) inside this box

bstitute for form 1449A/PTO

PT	O/SB/0	0) A8	8-00
for use through 10/21/2002	01/0	0064	000

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Inder the Paperwork Reduction Act of 1995, no persons are required to res

INFORMATION	DISCLOSURE
STATEMENT B	

(use as many sheets as necessary)

1 Sheet of

spond to a conection of information of	less it displays a valid OMB control number					
Complete if Known						
Application Number 09/872,145						
Filing Date	06/01/2001					
First Named Inventor	McNIGHT et al.					
Group Art Unit	2811					
Examiner Name	Unknown E					
Attorney Docket Number	006.0055 ₹					

				II C DATENT DOCUMEN		
		U.S. Patent I	Document	U.S. PATENT DOCUMEN	TS	<u> </u>
Examiner Cite No.1		Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lues, Where Relevant Passagde er Relevant Figurasi Appeler
		5,426,526		Yamamoto et al.	06-20-1995	E 22
		6,046,716		McKnight	04-04-2000	N
						80
-						

				FOREIGN	PATENT DOCUMENTS		····	
Examiner Initials*		Foreign Patent Document				Date of Publication of	Pages, Columns, Lines,	T
	Cite No. <sup>1</sup>	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	_ <b>_</b>							Т
								T
								T
								╁
							· · · · · · · · · · · · · · · · · · ·	<del> </del>
							· · · · · · · · · · · · · · · · · · ·	+-
							<del></del>	<b>├</b>
	+		**					<b>↓</b>
	+-	<del></del>						<u> </u>
	_							1

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	(wordship riduler, ride, bate, refinence ages, Etc.)
Examiner Signature	Date Considered

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.